

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17238 of 2018

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Bhot Chaturvedi, Son of Late Shankar Chaturvedi, Resident of Mohalla at Shanti Nagar, Sugar Factory Road, Purani Bazar, P.O.+P.S.- Narkatiyaganj, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University.
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University.
5. Sri Jitendra Narayan Singh, Son of not known to the petitioner, presently the principal (Appointment under challenge) Janki Sanskrit, Up-Shastri College, Narkatiyaganj, West Champaran.
6. Sri Anil Kumar Mishra, Son of not known to the petitioner presently the Secretary to the governing body Janki Sanskrit Up-Shastri College, Narkatiyaganj, West Champaran.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Tej Bahadur Singh, Senior Advocate
		Mr. Brisketu Sharan Pandey, Advocate
For the Respondent State:		Mr. Madhaw Pd. Yadaw, GP-23
For the Respondent KSDSU :		Mr. Uday Chand Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 10-09-2018 The petitioner seeks quashing of the letter dated 02.07.2018, issued under the signature of the Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga (hereinafter referred to as 'the University'), whereby co-option of one Anil Kumar Mishra, as Educationist Member, and approval of election/selection of Vijay Verma as President has been granted. The said two persons have thereafter been elected as President and Secretary of the Governing Body of Janki



Sanskrit Up-Shashtri College, Narkatiaganj.

The said college is affiliated to the Kameshwar Singh Darbhanga Sanskrit University, Darbhanga and it falls within the definition of 'Anudanit Mahavidyalaya' as occurring in Rule 3(viii) of Bihar Anudanit Shikshan Sansthan Pradhikar Niyamawali, 2015. The petitioner has alternative remedy under the said Rules for raising his grievance since the dispute in question relates to constitution of the managing committee.

This writ application is accordingly disposed of with an observation that if the petitioner approaches the Bihar Anudanit Shikshan Sansthan Pradhikar within three weeks from today, disposal of his application shall be expedited considering the nature of the dispute, which is being raised.

Mr. Tej Bahadur Singh, learned senior counsel appearing on behalf of the petitioner, has submitted that the illegally constituted managing committee is misusing its powers and therefore, its functioning in the meanwhile should be stayed. I do not find any justification in passing any interim order of the nature, which is being sought, since the parties are being relegated to the Authority before which the petitioner has alternative remedy. However, the petitioner shall be at liberty to seek interim relief before the Authority.



The writ application stands disposed of.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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